

Teacher's wife gets 30 days to leave

*By Lynda Powless
Editor*

A non-native woman has been given an additional 30 days to leave the community after Six Nations Band Council told a local couple Monday night, it had to uphold a local residency bylaw that allows only band members to reside here.

Band Council Chief Wellington Staats told Frank Miller and his wife Vicky, "Council has to uphold the bylaw but we have agreed to give you an extended period of time of 30 days to move." The decision came during at the end of a finance committee meeting late Monday night.

Miller and his wife were visibly shaken by the decision and said they would take a few days to consider it before making any decision on how to respond.

The Millers, a Sour Springs Road couple, have been living here for about two years. Frank Miller is one of only a handful of local people who are still fluent in the Mohawk language. Mill said the bylaw is forcing his family to relocate. Miller's wife, Vicky, is not a band member.

Band Council Chief Wellington Staats explained the almost 13 year old bylaw was a protection

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mechanism for Six Nations. "It protects the land. It ensures only band members will be able to inherit the land."

He said without it, the community could be overrun by recently reinstated band members anxious to return to the community.

"We have over 480 Bill C-31 peo-

ple (mostly native women who regained their status and their children under Bill C-31 which came into effect in 1985. Prior to that native women who married non-native men lost their status while non-native women who married native men gained native status) that are living here now. We already have a diminishing land base," Staats said.

Staats told the couple, "you're both to be commended (for their work in preserving the Mohawk language) but we're in a dilemma."

Staats said membership statistics showed, of the 140 marriages last year, "80 of them were to non-band members. What does that tell us."

Miller pleaded with band council to reconsider their decision or to grant a suspension. He said his wife was not threat to Six Nations. "She helps me a great deal in my work with the (Mohawk) language."

Miller presented council with more than a dozen letters of support from local people. "These are the voices of the community." Miller read excerpts from the letters;

"I lend my support to Mr. Frank Miller and his wife Vicky...he is a champion of the Mohawk language...he has worked with the elders to preserve the language. She is a person of integrity."

From a second letter the writer described Miller as "exemplary member of the community...as asset...he and his wife have adopted a native child from our community. If they are good enough to nurtur one of our small children, shouldn't she be allowed to live in our community...his moving would be disruptive and a great

loss."

Others wrote letters in support of the child Matthew, whom the couple are in the process of adopting. The child suffers from Fetal Alcohol Syndrome and will require special aid all his life. One letter said, while, "I believe that only band members should live here, the child is a band member and would benefit by staying in their home community. He should not be uprooted."

Miller told council to remember to look ahead seven generations into the faces of the children. "We are their mentors, their parents, their grandparents. We set the pace for the future."

He told them the children have a rightful place in our communities where they can be exposed to their culture. "I speak to you for all the children of the community. I get 100 per cent support from this woman. I could not do the things I do without her support."

He told council he sees Six Nations children in the elementary schools and in high schools. "Our children in the high schools are suffering from a loss of identity. They need people to teach them about their heritage, language and culture. They need to experience the teachings of our ancestors."

The couple were served last week with notice to leave Six Nations

within 48 hours. The order came after the Six Nations Band Council recieved a written complaint about the woman from a non-band member. The complainant is from the Akwesasne community.

Councillor John Peters told the couple no one gets permission to reside at Six Nations anymore. "Not even the ministers get permission anymore."

Peters told them the bylaw was accepted by the community. He said during the Henderson case it was clear if the band council gave permission "to even one person we would be contravening our own bylaw."

Membership chairman, councillor Les Sowden said the community needs to come to a decision on how it reaches decisions so a membership code can be developed. "Then, we will decide who can live here. Right now, our hands are tied. We don't have a choice. The bylaw has to be enacted."

Vicky Miller told council, "for the past seven days I have been very stressed out. We are trying to do the right thing. We are asking you for help with this...we wanted to gently and quietly speak to you."

Staats told them he didn't know what council could do about it at this time. Council went into a closed session to discuss the issue before re-opening the meeting to announce their decision.

The almost 13-year-old bylaw states "Only a registered band member of the Six Nations of the Grand River shall be entitled to reside on the Six Nations of the Grand River Indian lands."

The bylaw goes on to say; "Any other person residing or trespassing or unlawfully frequenting for prohibited purposes on the Six Nations Indian Reserves NO. 40 and No. 40B, in violation of any of the provisions of the by-law shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$1,000.00 or imprisonment for a term no exceeding 30 days or both.

The bylaw was passed in December of 1986 under Band Council Chief William Montour. Council members who signed the bylaw at that time were: Lewis B. Staats, Kenneth R. Hill, Dave Green, E. Glenn Martin, W. Graham Smith, Steve Williams, Kerry Bomberry, John W. Peters, Lonny Bomberry and Nina Burnham.

The bylaw was unsuccessfully challenged two years ago when Pamela Henderson, who had married Dave Henderson, a band member, was ordered to leave the reserve. Henderson challenged the Six Nations Band Council in court and lost. The Hendersons have since sold their home and moved from the community.